# CONDITIONS TO BE OBSERVED by the *Brittiſh* Vndertakers of the Eſcheated Lands in VLSTER,

Conſiſting in three principall points, *Viz.*

1. What the Brittiſh Vndertakers ſhall haue of his Maieſties gift.
2. What the ſaid Vndertakers ſhall for their parts performe.
3. In what manner the ſame performance ſhall be.

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# CONDITIONS TO BE OBSERVED BY the Britiſh Vndertakers of the Eſcheated Lands in VLSTER, &c.

## 1. What the *Britiſh* Vndertakers ſhall haue.

FIrſt, the Landes to be vndertaken by them, are diuided into ſundry *Præcincts*, of different quantities. The Præcincts.

Euery *Præcinct* is ſubdiuided into *Proportions* of three ſorts, *Great*, *Middle*, and *Small*. The Proportions

The great *Proportion* containeth 2000. Engliſh Acres at the leaſt.

The middle *Proportion* cõtaineth 1500. Acres at the leaſt.

The ſmall *Proportion* containeth 1000. Acres at the leaſt.

Vnto euery of which *Proportions* ſuch bogge and wood ſhall be allowed, as lieth within the ſame, for which no Rent ſhalbe reſerued.

The diſtribution of the Præcincts.

The *Præcincts* are by name diſtinguiſhed, part for the *Engliſh*, and part for the *Scottiſh*, as appeareth by the Table of *Diſtribution* of the *Præcincts*.

Euery *Præcinct* ſhalbe aſsigned to one principall Vndertaker, and his conſort, as will appeare by the Table of Aſsignation of the *Præcincts*.

The chiefe Vndertakers ſhalbe allowed two middle *Proportions*, if they deſire the ſame; otherwiſe no one Vndertaker is to be allowed aboue one great *Proportion*.

Their eſtates.

They ſhall haue an eſtate in *Fee Simple* to them and their heires.

Power to create Tenures.

They ſhall haue power to create Mannours, to hold *Courts Baron* twice euery yeere, and not oftner, and power to create *Tenures in Socage* to hold of themſelues.

Libertie of exportation.

They, their heires and aſsignes, for the

ſpace

ſpace of 7. yeeres next enſuing, ſhall haue libertie to export out of *Ireland* all commodities growing or ariſing vpon their owne Lands vnder taken, without paying Cuſtome or Impoſition.

They, their heires and Aſsignes, for the ſpace of 5. yeeres next enſuing, ſhall haue freedome to import into *Ireland* out of *Great Britaine*, victuall, and vtenſiles for their Houſholds, materials and tooles for their buildings and Husbandry, and cattell to ſtocke and manure the Lands vndertaken, without paying any Cuſtome or Impoſition; which ſhall not extend to any commodities tranſported by way of Merchandiſe. Libertie of importation.

They ſhall haue allowance of Timber for their buildings to be erected vpon their *Proportions*, the ſame to be taken in any of the *Præcincts*, by the Aſsignment of the Commiſsioners, without paying anything for the ſame for the ſpace of two yeeres; And after that time expired, euery Vndertaker to hold to his owne vſe the Timber and Woods remayning vpon his owne *Proportion*. Allowance of Timber.

The

Aduowſons.

The principall Vndertaker ſhall haue one Aduowſon within his *Præcinct*, to him and his heires.

## 2. What the ſaid Vndertakers ſhall for their parts performe.

1. Their Rent.

THey ſhall yeerely yeeld vnto his Maieſtie for euery *Proportion* of 1000. Acres, fiue pound ſixe ſhillings eight pence Engliſh, and ſo rateably for the great *Proportions*; The firſt halfe yeeres payment to begin at Michaelmas 1614.

2. Their Tenure.

Euery of the ſaid Vndertakers ſhal hold the Lands ſo vndertaken in *Free and common Socage*, as of the Caſtle of *Dublin*, and by no greater Seruice.

3. Their Building.

Euery of the ſaid Vndertakers of a great *Proportion*, ſhall within 3. yeeres to be accompted from Eaſter next, build thereupon a ſtone houſe, with a ſtrong court or bawne about it; And euery Vndertaker of

of a middle *Proportion*, ſhall within the ſame time build a ſtone or bricke houſe thereupon, with a ſtrong court or bawne about it; And euery Vndertaker of a ſmall *Proportion*, ſhal within the ſame time make thereupon a ſtrong Court or bawne at leaſt.

4. Their Families.

Euery Vndertaker ſhall within three yeeres, to be accompted from Eaſter next, plant or place vpon a ſmall *Proportion*, the number of 24. able men of the age of 18. yeeres or vpwards, being Engliſh, or Inland Scottiſh; And ſo rateably vpon the other *Proportions*; Which numbers ſhall be reduced into 10. families at leaſt, to be ſetled vpon euery ſmall *Proportion*, and rateably vpon the other *Proportions* in this maner; Viz. The principall Vndertaker and his family to bee ſetled vpon a Demeſne of 300. Acres; Two Fee-fermours vpon 120. Acres a piece; Three Leaſeholders for three liues or 21. yeeres vpon 100. Acres apiece; And vpon the reſidue being 160. Acres, foure families or more of Huſbandmen, Artificers or Cottagers; their

*Portions*

*Portions* of Land to bee aſsigned by the principall Vndertaker at his diſcretion.

5 The Building of the vnder-Tenants.

Euery of the ſaid Vndertakers ſhall draw their Tenants to build houſes for themſelues and their families, not ſcattering, but together, neere the principall houſe or bawne, aſwell for their mutuall defence and ſtrength, as for the making of Villages and Townes hips.

6 Armes.

The ſaid Vndertakers, their heires and aſsignes, ſhall haue ready in their houſes at all times, a conuenient ſtore of Armes, wherewith they may furniſh a competent number of men for their defence, which may be viewed and muſtered euery halfe yeere, according to the maner of *England*.

7. Oath of Supremacie.

Euery of the ſaid Vndertakers, before he be receiued to be an Vndertaker, ſhall take the Oath of Supremacie, either in the Chancerie of *England* or *Scotland*, or before the Commiſsioners to bee appointed for the eſtabliſhing of the *Plantation*; And ſhall alſo conforme themſelues in Religion according to his Maieſties Lawes; And

euery

euery of their Vndertenants being chiefe of a family, ſhall take the like Oath before the ſaid Commiſsioners, or the Iuſtices of Aſsize comming into the Countie, wherein the ſaid Tenants ſhall be placed at the next Aſsizes, after they ſhall ſit downe and inhabite in the ſaid ſeuerall Counties. And they and their families, ſhall be alſo conformable in Religion as aforeſaid.

8. Reſidence.

Euery of the ſaid Vndertakers for the ſpace of fiue yeeres, to be accompted from Michaelmas next, ſhall be reſident himſelfe in perſon vpon his *Portion*, or place ſome ſuch other perſon thereupon, as ſhalbe allowed by the State of *England* or *Ireland*, And ſhall take the Oath of Supremacie; and likewiſe be himſelfe with his family cõformable in Religion as aforeſaid, who ſhall be reſident during the ſaid fiue yeeres, vnleſſe by reaſon of ſickneſſe or other important cauſe, he be licenſed by the Lord Deputie and Councell of *Ireland* to abſent himſelfe for a time.

9. Reſtraint of Alienation to the Iriſh.

The ſaid Vndertakers, their heires and aſsignes, ſhall not Alien or demiſe their

*Portions* or any part thereof to the meere *Iriſh*, or to ſuch perſons as will not take the ſaid Oath of Supremacie; And to that end a *prouiſo* ſhall be inſerted in their Letters Patents, that the parcell of land ſo aliened ſhalbe forfeited.

10. Reſtraint of Alienation within fiue yeeres.

The ſaid Vndertakers ſhall not Alien their *Portions* during fiue yeeres, to be accompted from Michaelmas next; but vnto their Vndertenants, in the forme before expreſſed in the fourth Article.

11. Vncertein Rents.

The ſaid Vndertakers ſhall not reſerue any vncertaine Rent, but the ſame ſhall be expreſly ſet downe without reference to the cuſtome of the Countrey.

## 3. In what maner the ſaid performance ſhall be.

1. To repaire into Ireland before Midſõmer next.

THe ſaid Vndertakers either in perſon, or by ſuch Agents as ſhall be allowed by the Councels of Eſtate of *England* or *Scotland* reſpectiuely, ſhall before Midſommer day next,

next, repaire into the Realme of *Ireland*, and offer themſelues to the Lord Deputie and Commiſsioners for the Plantation; who ſhal take order with the ſaid Vndertakers for the diſtribution of the *Proportions* within euery Precinct, either by Agreement or Lot; So as euery Vndertaker ſhall know his *Portion*, if the ſame be not diſtributed here in *England* before.

2. To ſit downe before Michaelmas next.

The ſaid Vndertakers by themſelues or their ſaid Agents, ſhall take poſſeſsion of their ſeuerall *Portions*, and ſit downe vpon the ſame before Michaelmas next.

3. Time of placing their Tenants.

The ſaid Vndertakers ſhall bring ouer into *Ireland*, and plant and place vpon their ſeuerall *Proportions*, the ſeuerall numbers of men and families aforeſaid, *Viz.* One third part before the feaſt of All Saints next, an other thirde part before the firſt day of May then next enſuing, and the other third part before the feaſt of All Saints in the yeere of our Lord God one Thouſand ſixe hundreth and eleuen.

4. Time of taking out their Patents.

The ſaid Vndertakers ſhall take out their Letters Patents either in *England* or

in *Ireland*, at their election, before Midſommer day next.

5. By what degrees they ſhall erect their habitations and buildings.

The ſayd Vndertakers ſhall before the feaſt of *All Saints* next make their ſeuerall Courts or Bawnes vpon their *Proportions*, and erect habitations for one third part of the men and families which they are to plant thereupon; And before the firſt day of May then next enſuing, they ſhall erect habitations for one other third part, and prouide and bring in place all the materials for building of their Stone houſes; And before the feaſt of *All Saints* 1611. following, they ſhall erect habitations for the reſidue of their men and families, and in the meane time proceed in the building of their Stone-houſes, ſo as they may be fully finiſhed within three yeeres as aforeſaid.

6. Their Bonds or Recogniſances for performance of the Articles of Plantation.

Euery Vndertaker before the enſealing of their Letters Patents, ſhall enter into bond or recognizance with good ſureties to his Maieſties vſe, in the Office of his Maieſties chiefe Remembrancer in England or Ireland, or in his Maieſties Exchequer or Chancery in Scotland, to performe the

the aforeſaid Articles according to the ſeuerall diſtinctions of *Building*, *Planting*, *Reſidence*, *Alienation* within fiue yeeres, and *making of certaine eſtates* to their Tenants, viz. The Vndertaker of the greateſt *Proportion* to become bound in foure hundred pounds; of the middle, in three hundred pounds; of the leaſt, in two hundred pounds: which bands or recognizances ſhall be deliuered vp after fiue yeeres vpon Certificate of the L. Deputie and Counſel, that the true meaning of the Conditions thereof hath bene performed.

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